

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL WRIT PETITION NO.617 OF 2007**

1.Narayan D. Khanolkar	
2.Laxmibai D. Khanolkar	...Petitioners.
V/s.	
1. The State of Maharashtra	
2. Manjiri Atmaram Khanolkar	
3. Atmaram D. Khanolkar	...Respondents.

Shri Pankaj Das, adv. for the Petitioners.
Smt. M.H.Mhatre, APP for the State.
Shri Mahesh A. Shivdas, adv. for the Respondents.

**CORAM: J.H.BHATIA, J.
DATE : 12TH April, 2007.**

P.C.:

1. Mr.Pankaj Das the learned counsel for the petitioners makes a statement that the petitioner no.1 Narayan Khanolkar is also named as Sanjay and in the chargesheet filed by the police, his name is shown as Sanjay. He seeks leave to amend. Leave to amend granted. Amendment be effected immediately.

2. The petitioner nos.1 and 2 are present with their counsel Mr.Pankaj Das. The respondent no.2 is present with Mr.Mahesh Shivdas advocate.

3. Respondent no.2 is the wife of the respondent no.3. Petitioner Nos.1 and 2 are brother and mother respectively of the respondent no.3. Because of certain

disputes, report was lodged by the respondent no.2 Manjiri, on the basis of which crime no.272 of 2005 came to be registered with Dombivli police station for the offences punishable under Sections 498A, 504, 406 read with Section 34 of the I.P.C. against the present petitioners and the respondent no.3. As the respondent no.3 is presently living in U.S.A., the chargesheet is filed only against the petitioner nos.1 and 2. The petitioners seek to quash the proceeding on the ground that the amicable settlement has taken place between the parties and the respondent nos.2 and 3 have also agreed to take divorce by mutual consent but withdrawal of the criminal cases is condition precedent for that. In view of the settlement, parties have filed Consent Terms marked 'X' before this Court. The learned counsel for both the parties and parties themselves admit the contents. Therefore, Consent Terms are taken on record.

4. Writ petition is allowed in terms of prayer clause (a) as per the Consent Terms.

(J.H.Bhatia, J.)